

**AMENDMENT TO  
TIMBER RIDGE VILLAS  
DECLARATION OF RESTRICTIONS**

THIS AMENDMENT (this “**Amendment**”) is made and entered into as of \_\_\_\_\_, 2019 by and among the persons who have executed this document in their capacities as board members of the Timber Ridge Villas Homes Association., a Kansas corporation, as the homes association of the real property described below (the “**HOA**”).

**WITNESSETH:**

WHEREAS, the Owners and the HOA desire to amend that certain Timber Ridge Villas Declaration of Restrictions dated February 14, 2008, and recorded with the Office of the Register of Deeds of Johnson County, Kansas (the “**Recording Office**”), in Book 200802 at Page 003889 (the “**Declaration**”); and

WHEREAS, the Declaration places certain covenants and restrictions upon the following described residential lots (the “**Lots**”) and the following described common areas:

Lots 1 through 41, and Tract A, TIMBER RIDGE VILLAS  
REPLAT, a subdivision in City of Merriam, Johnson  
County, Kansas.

WHEREAS, the Owners and the HOA desire to amend the Declaration as provided herein;

NOW, THEREFORE, the parties hereto declare and agree as follows:

A. Capitalized terms used in this Amendment but not defined herein shall have the meanings set forth in the Declaration.

B. The first two sentences of Section 10.d of the Declaration originally read:

“Overnight parking of motor vehicles, boat or other trailers, or similar apparatus of any type or character in public streets, Common Areas or vacant lots is prohibited. Motor vehicles shall be parked overnight in garages or on paved driveways only.”

Proposed 2019 Amendment: Allowing street parking on and before certain holidays.

C. In order to grant greater freedom to TRV residents to be able to park on the public street, the first two sentences of Section 10.d of the Declaration are hereby amended to read as follows:

“Overnight parking of motor vehicles, boat or other trailers, or similar apparatus of any type or character in Common Areas or vacant lots is prohibited. Overnight parking of motor vehicles or similar apparatus of any type or character in public streets is prohibited except as provided in section 10.d(1). Motor vehicles shall be parked overnight in garages or on paved driveways except as provided in section 10.d(1).”

D. Section 10.d(1) shall be added to read as follows:

Overnight Street Parking permitted when:

“10.d(1) Overnight parking on the public street is permitted when all of the following conditions are all satisfied:

- No snow or ice is present.
- All spaces in the driveway and garage of the homeowner are already occupied by vehicles.
- The night in question is the night of or the night preceding one of Easter Sunday, Independence Day, Thanksgiving, Superbowl, Christmas, or New Years.”

E. Pursuant to Section 19(a) of the Declaration, this Amendment shall become effective as an amendment of the Declaration and binding upon all of the Lots upon (a) the execution hereof by the Owners of record of at least (60%) of the Lots, (b) the execution hereof by the HOA, and (c) the recordation hereof in the Recording Office.

F. The execution of this Amendment may occur in counterparts with only one copy of the main body hereof being recorded together with the various signature and acknowledgment pages from such counterparts.

**EXECUTION PAGE FOR HOMES ASSOCIATION**

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed.

**THE HOA:**

Timber Ridge Villas Homes Association

By:

Name: William T Crook

Title: President

**ACKNOWLEDGEMENT**

STATE OF KANSAS            )  
  ) ss.  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me, a Notary Public, on \_\_\_\_\_, 2019 by **William T Crook**, as President of Timber Ridge Villas Homes Association, a Kansas Corporation.

My Commission Expires:

Notary Public in and for said County and State

[SEAL]

Print Name:

**EXHIBIT A: RECORD OF MEMBER APPROVAL**

The following documents lot representation and approval of this amendment at the special meeting on 2019-06-08, held in the Timber Ridge Villas Block Party in the Wedd Place Culdesac, Merriam, KS 66202.

Lot#:	Represented	Vote	Lot#:	Represented	Vote
4			28		
5			29		
6			30		
7			31		
8			32		
9			33		
10			34		
11			35		
12			36		
13			37		
14			42		
15			43		
16			44		
17			45		
21			46		
24			47		
25			48		
26			49		
27			Totals		